



## **GARDNERVILLE TOWN BOARD**

**January 5, 2009**

**4:30 p.m.**

- **Call to Order - Meeting was called to order by Chairman Lindsay**
- **Pledge of Allegiance-Jerry Smith**
- **Approval of the Agenda**  
**Motion Philips/Smith to approve the agenda. Motion carried.**

**1. Discussion and possible action on election of Town Board Officers for 2010**  
**a. Election of Chairman for 2010**

Chairman Lindsay specifically asked that this item be held for January so he could bring up a concern he had. Rather than following the process they have for so long he wanted to go over some things. Specifically this year things are different because this is Tom's last year on the Board. His belief is it is best for the Town Board if the Chairman is on the Board the following year. He believes it is the best for the Town because the chairman the year after will be available for continuity purposes.

Mr. Cook believed he is walking on thin ice. There are two other members on this Board that may or may not be on that Board because there is an election coming. It is not good for the Town, the Town Board or anyone else to have this discussion. You should call for a nomination for the Chairman for this Board and let's get it on.

Chairman Lindsay called for nominations.

**Motion Smith to elect Tom Cook Chairman 2010.**

Mr. Bernhard thought if they just did it on the basis of continuity. He hasn't been here very long.

**Second nomination by Mr. Philips.**

**Upon call for the vote, motion carried.**

**b. Election of Vice Chairman for 2010**

Chairman Cook called for nominations for vice-chairman.

**Motion Smith/Bernhard to nominate Mike Philips for vice-chairman.**

No public comment.

**Upon call for the vote, motion carried.**

Chairman Cook asked Mr. Lindsay if he will still be working on the Main Street Board.

Mr. Lindsay nodded affirmatively.

Chairman Cook would like someone to step up and take his place at the Nevada League of Cities. There

will be a meeting in February in Las Vegas.

Mr. Smith will look at his schedule.

Mr. Bernhard will also look at his schedule.

Mr. Park mentioned there is a quarterly Board meeting in Las Vegas. So if anyone is interested. It is a day trip. You go down in the morning, attend the meeting at the airport, and get back on the plane.

➤ **Approval of the November 3, 2009 Regular Meeting Minutes**

Motion Philips/Smith to approve the minutes of November 3, 2009. No public comment. Motion carried. With Mr. Lindsay abstaining since he was not present.

➤ **Public Comment on Any Item Not on Today's Agenda-No Board Action**

Mrs. Lamb wanted to update the Board on the Martin Slough. She reported she found a dead duck that looked like it had been shot in the chest. She doesn't know the firearm rules in the area so she went to the police department. She had mentioned to the police there is an older gentleman that walks through there. He has an air gun rifle. There was a group of young people there in a car and she talked with them. They told her they found two more ducks yesterday dead. One was on the bench. The other one was on the rock island. The police told them to call right away if they see anything. She wanted to share that so they can share it with anyone they know. The manager of the senior center would like to bring some seniors over to help clean up after the weather gets better. She also talked with the Washoe Tribe and they will help. She appreciates the Board's attention. They will try to tell people around the area about this situation.

Robin asked what the police had to say.

Mrs. Lamb answered they said unless somebody sees it and reports it they can't do anything. She asked if there was a way to put a surveillance camera in that area.

Mr. Lindsay explained the camera is only about \$70. Then you need the recording system and a facility to put it in. You can't just set it outside. You have to have power to the facility.

Mrs. Lamb asked if when they go by they could look at see where one of those devices could be put in.

Mr. Bernhard has a friend who works with Fish and Game. He can't imagine they wouldn't be interested in that.

Mrs. Lamb will leave her e-mail if anybody has any information. She thanked the Board so much for listening.

No further public comment.

**CONSENT CALENDAR**

**Consent items may be pulled at the request of Board Members wishing to have an item or items further discussed. When items are pulled for discussion, they will be automatically placed at beginning of the Administrative Agenda.**

➤ **Motion to approve consent calendar.**

2. Correspondence

**Read and noted**

3. Health and Sanitation Department Monthly Report

**Accepted**

4. Approve December 2009 claims  
**Approved**
5. Approve Health and Sanitation Department writeoffs  
**Approved**  
**Motion Smith/Philips to approve the consent calendar.**

**No public comment.**

**Upon call for the vote, motion carried.**

***End of Consent Calendar***

**ADMINISTRATIVE AGENDA**

**(Any agenda items pulled from the Consent Calendar will be heard at this point)**

6. Discussion and possible action to approve, deny, continue, or approve with modifications Development Application (DA) 09-092, a request to re-establish and modify the phasing plan for Planned Development (PD) 06-006, the Stone Creek neighborhood that included developing 8.49 acres into 73 parcels with 72 units, in an SFR-12,000/SFR-1 with Multi-Family Residential (MFR) Planned Development Overlay located at 1331 Stodick Lane, APN #1220-03-202-001, Stone Creek LLC, applicant

Mr. Park reviewed Mr. Beekhof is here representing Stone Creek LLC. This is the same project the Board approved in 2006. The first project based entirely on the Plan for Prosperity and Design Guidelines. Mr. Beekhof is in because the existing PD has expired. He is going to modify the phasing plan just slightly. Staff recommends approval. Tom can answer questions and also Mr. Beekhof.

Mr. Cook asked if the pond is in the first phase.

Mr. Park stated one of the staff comments is the pond would be inclusive with phase 1.

Mr. Beekhof responded at this point when we submitted the improvement plans for each phase that would be brought to the Board for their approval as for turnarounds and things of that nature. There is a current storm drain that runs through from Arbor Gardens through this project. It is listed on the engineer's estimate for the first nine lots to be replaced. He thought they would just address those things with staff as they brought the plans through. He wasn't really prepared to answer what was going to be put into place. If that is the request there are some modifications they need to make. Obviously they will try to do what they can. They are working with Sierra Nevada Community Land Trust. If they can work with staff and maybe bond for some things. Maybe do the fencing in phase 1. Maybe not do the landscaping and all the irrigation in the bottom until phase 2. Give us some leeway. There are three government entities involved with this project. He has not changed anything in the design. There was some mix-up with the County on time frames. The extension somehow got missed. The County has made him go back and reapply.

Mr. Park is hearing Mr. Beekhof would be comfortable with the pond being in phase 1. He's a little uncomfortable with staff saying it needs to be fully developed. He is asking the Board if they would authorize staff to work with him. The reason staff included that in phase 1, when you look at the entire project, this pond deals with the drainage out of Arbor Gardens as well. If the Board is good with the fence up, number one, or if you want Mr. Beekhof to come back to give something to staff they can run it by the Board.

Mr. Philips felt they could leave that up to staff to iron out.

Chairman Cook didn't want to get into a situation where the pond doesn't get done.

Mr. Beekhof suggests they do the fencing, do the construction aspects of it. May not put the lawn in at this

point.

Chairman Cook would like the fence put around it and close it to keep the people out. That is the biggest problem until you get the grass in. If you don't they will have problems.

Mr. Beekhof can work with staff.

Mr. Park asked if the Board was okay with: phase 1 is the fence, phase 2 the irrigation goes in, phase 3 the grass and the amenities.

The Board agreed.

Mr. Lindsay suggested putting in two gates. Lock the double gates and put another single gate to let people in.

Mr. Park will include those three comments in Tom's letter that he will send to the County.

**Motion Philips/Smith to recommend approval with staff watching over this to keep us apprised of how things are going as far as the pond. And that the pond be fenced as part of the first phase.**

No public comment.

**Upon call for the vote, motion carried.**

#### **7. Discussion and possible action to accept the 2009 Annual Town Report**

Mr. Park does an annual report each year. They have included that document. He would like a motion to accept the annual report. And they will get copies to the Commissioners.

**Motion Smith/Lindsay to accept the annual report as submitted.**

No public comment.

**Upon call for the vote, motion carried.**

#### **8. Discussion and possible action to approve requesting the Board of County Commissioner's establishment of a separate fund under the Town to account for revenues and expenditures of the Revolving Loan Fund administered by the Main Street Gardnerville Program Corporation non-profit (approx 5 minutes).**

Mr. Park is requesting to have a separate fund just to account for that \$56,000 that is coming down from USDA through Main Street nonprofit. That just keeps this loan fund from being comingled with the regular operating money for Main Street. It takes an action by the Commissioners to ultimately establish that. The Main Street Board is supportive of it. They are trying to parlay the \$56,000. As soon as they get that out on the street in loans, it actually becomes their money. They are having a discussion with USDA Rural who would like to set up the Main Street Board with a line of credit up to a half a million dollars.

Mr. Lindsay there is a bigger risk with that. The 500,000, if somebody borrows 10, or 25,000 they are on the hook for that money plus one percent. They still have to make those payments.

Mr. Park reviewed the Main Street Board was set up, and the Town Board approved that. The Town is the parent. The way Steve has that structured, they are their own corporation. If they were to default it does not come back to the Town Board. They are their own separate entity.

Mr. Handelin will double check. The way to get the benefits of a situation like this where things are run

through the Town there is a tie-in. But it is its own separate entity. He will make sure.

Mr. Park stated in terms of the actual mechanics of the loan fund the Main Street Board does have adopted operating guidelines that have been run through counsel and have also been approved by USDA and their counsel. He believes the Board is protected from that standpoint.

Mr. Lindsay added they have a separate Board that is made up of five bankers that are in the area. Any loan that goes out is nearly invisible to the Main Street Board. It has to come to the Main Street Board for approval to fund the loan, but it comes in dollar amount only. The Main Street Board does not know who applied for it, who is getting it, anything.

Mr. Park advised Main Street has a whole package application. This is just like getting a loan except for below market rates.

Mr. Lindsay commented they have software that actually manages all the scores that Carol and Ken have been trained on.

No public comment.

**Motion Lindsay/Smith to affirm requesting a separate fund to established. Motion carried.**

**Adjourn to closed session**

- 9. Closed session in accordance with NRS 241.015 to receive information from Town Counsel regarding potential or existing litigation involving a matter over which the Town Board has supervision, control, jurisdiction, or advisory power**

**Motion Bernhard/Philips to adjourn to closed session. Motion carried.**

**Reconvene in open session**

**Motion Lindsay/Smith to reconvene in open session. Motion carried.**

- 10. Discussion and possible action on direction to staff based on the information discussed during closed session**

**Motion Philips/Bernhard to have staff investigate this further and get back to them as soon as possible.**

Mr. Handelin will complete the investigation and prepare a memo as soon as possible.

**Motion carried.**

- 11. Discussion and possible action on the Town Attorney's Monthly Report of activities for December 2009**

Mr. Handelin has nothing to report.

- 12. Discussion and possible action on the Town Engineer's Monthly Report of activities for December 2009**

Mr. Dallaire and Jim met with Manhard about the Pinenut floodplain. Jim added a letter that wasn't included in Board packets for information from that meeting. They discussed with Denny and are planning on getting a little bit more information with the proposed flood plain analysis and getting a presentation to the Board. They haven't heard from Denny on that. They are also moving forward and coordinating with Park Cattle requesting to see if they can get some area now if they can construct this detention facility that in case a flood did happen, they can pull

Chichester out of that. With the last analysis they went through, they put it back into the computer, found a few other areas in Chichester that will flood due to the size of the pipes that were installed. It actually conveys the flood waters around through that subdivision on its way to the Gilman pond. So they want to proceed with figuring out how big the channel is going to have to be and can Park Land and Cattle deal with that kind of flow in their development that they had proposed. They are hoping to meter it along the back of Chichester and split off 12 to 18 to 2000 cfs in each branch and eventually reduce the 3200 cfs to about 1500 into the Martin Slough where the Ranch is. They are moving forward and coordinating with the County to try to get their assistance and get them in the loop.

Mr. Park thought in February the Board would probably be presented with two options. First option adopt the flood plain that is shown there. Second one is adopt the flood plain with what is shown and have a plan in place to put this ditch in. The ditch goes in and you do a CLOMAR. Once it is built you do a LOMAR.

Mr. Dallaire is working on the CIP, and drawing up the kiosk detail. Drew a preliminary plan and set it to Jeff Foltz about Hussman Lane and the Stodick Parkway connection to use asphalt grindings. Their main concern is signage around the curve. He drew up a plan. It was a little different than JWA's plan. The improvement plans did have a plan that went to the end. But then Anderson Engineering had an amendment sheet that was a sharp turn. That was approved.

Mr. Park advised Jeff Foltz has told Tom they will have grindings in May and they will make this happen.

### **13. Discussion and possible action on the Town Maintenance Supervisor's Monthly Report of activities for December 2009**

Mr. Summers reported they have been doing a lot of snow plowing, keeping drains open, and doing maintenance on the equipment. Also will be taking down Christmas decorations.

Mr. Smith asked if there is any reason they don't put the snow in the middle?

Jeff responded people can't get across.

### **14. Discussion and possible action on the Main Street Program Manager's Monthly Report of activities for December 2009**

Mr. Park informed Board members Ms. Lochridge had a migraine. She gave you a written report. They are going gangbusters. They did really well on the pewter ornaments. Working on the heritage cookbook. The benches had to be shipped back because they were the wrong color. Putting the annual report together and will be coming to talk to you hopefully next month and getting on the County Commission agenda to talk about Main Street. Trash to Treasures event is being planned in the spring. Will be talking about the Merry Main Street review. Let's Wine About Winter coming up and Wine and Chocolate Walk February 18. Gearing up for the summer wine walks, Thirty Third Thursdays and the Santa Pub crawl. They will partner and get that going bigger and better. Looking at doing revolving loans.

### **15. Discussion and possible action on the Town Manager's Report of activities for December 2009**

Mr. Park has a written report in Board packets. Still haven't heard anything from State Lands. Hopefully they will hear something next week. They wouldn't give any other information. Worked with Claudette to get the other fund set up. Doing a lot of work trying to catch up on their grant reports, their RBEG funded market analysis and business update. They will get them to the Board next month. Tom is working on getting ready to design the improvements for the spring in terms of asphalt, overlays and sidewalks. They will be doing Micropaver updates very soon. Budget, the state is not rebounding as quickly as other places. They still have a cushion from the tax abatement. They will be a little leaner this year. They will get through it. Been speaking with the school district. They had wanted to look at farming out some engineering services to the school district. Holly Luna is still very interested in that. If they do go anywhere on that it will come back on

an interagency local agreement. If they can do some of their overlays or utilities good. He will take a look at the ducks and signs. Your park use and policies has no hunting in it. They will see about some kind of signs. The financial disclosure forms are due. Need to share, still somewhat tentative, having a discussion with the Defense Contract Management Agency, their Grounds Munitions and Systems Division They have tentatively offered a position with the federal government. They are trying to cooperatively work through some of those discussions. They would be moving to Indiana if they go through with this. If they are going to go this course, with security clearances and seeing if they can unload a house given the current market, one of the must haves is a substantial block of time. He will make sure they all get a fine town manager.

Mr. Smith mentioned there is a congratulations to Mr. Park as a Certified Professional. Congratulations.

Mr. Park stated it is the Institute of Supply Management. He has been a certified purchasing manager for 12 years. Now they have embarked on the Certified Professional and Supply Management. It is more looking at the global picture. He would anticipate coming to the Board within the next 90 days saying yes he will do this and if it's okay a four or six week notice.

Chairman Cook asked if you are leaving in 90 days, when do you start the search for your replacement and how is that started?

Mr. Park explained that is a Board decision. What would occur, he would come to them and given them a letter of resignation effective four or six weeks. Part of the transition, there are staffing things they need to look at it, internal how are they going to do things. Then they fill out a personnel action form and that sets it in motion. It can go as quick as they want it to go or as slow. A security clearance at the National level could take two months or two years.

Chairman Cook asked Mr. Park to keep them informed.

**Motion Smith/Bernhard to adjourn at 6:31 p.m. Motion carried.**

Respectfully Submitted,

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Thomas J. Cook  
Chairman

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Jim Park  
Clerk to the Board